



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 98,723-E1)

In re Application of:

Juan Saus

Serial No.: 10/008,721

Filed: **December 7, 2001**

For: **TNF-Inducible Promoters And Methods
For Using**

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) Art Unit: 1647

)
) Examiner: **Seharaseyon**

)
) Conf. No. 5105

BOX: AMENDMENT
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-14501

RESPONSE TO THE OFFICE ACTION MAILED OCTOBER 6, 2004

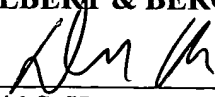
Sir:

In response to the Office Action mailed October 6, 2004, the Applicants herewith elect the invention of Group IV, claims 2-13 drawn to claims for isolated nucleic acid sequences including SEQ ID NO:6, expression vectors, and recombinant host cells containing same, for further prosecution in the current application. The election is made with traverse.

The Applicants note that upon the allowance of the identified linking claims (2-13), the restriction requirement as to the linked inventions of groups 1 to 31 will be withdrawn and those claims will be entitled to examination in the instant invention.

If there are any questions about this matter, the patent office can contact the below-signed attorney at 312-913-0001.

**Respectfully submitted,
McDONNELL BOEHNEN
HULBERT & BERGHOFF**



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11/3/04